



RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Archwilio Cyhoeddus (Cymru) Public Audit (Wales) Bill

Mae'r gwelliannau â * ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu
Amendments marked * are new or have been altered

Mae'r testun mewn italig wedi'i ddarparu gan y sawl a gynigiodd y gwelliant perthnasol i
esbonio ei ddiben ac i gynorthwyo'r darlennydd. Nid yw'r testun yn rhan o eiriad y
gwelliant.

The text in italics has been provided by the proposer of the relevant amendment to explain
its purpose and to aid the reader's understanding. The text does not form part of the
amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn—
The Bill will be considered in the following order—

Sections 1 - 36	Adrannau 1 - 36
Schedules 1 - 4	Atodlenni 1 - 4

***Jane Hutt**

28

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version
Adran 8, tudalen 5, llinell 24, hepgorer 'effeithiol a chost-effeithlon' a mewnosoder 'effeithlon ac
yn gosteffeithiol'.

***Jane Hutt**

29

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 15, tudalen 8, llinell 15, hepgorer 'effeithiol a chost-effeithlon' a mewnosoder 'effeithlon ac yn gosteffeithiol'.

Jane Hutt

2

Section 18, page 9, after line 6, insert—

- '() A scheme must describe the conditions subject to which a delegation under subsection (1) must be made.
- () An employee or other person may not be authorised under a scheme unless the employee or person agrees to comply with the code of audit practice issued under section 10(1).'

Adran 18, tudalen 9, ar ôl llinell 7, mewnosoder—

- '() Rhaid i gynllun ddisgrifio'r amodau y mae rhaid i ddirprwyaeth o dan is-adran (1) gael ei gwneud yn ddarostyngedig iddynt.
- () Ni chaiff cyflogai neu berson arall gael ei awdurdodi o dan gynllun oni bai bod y cyflogai neu'r person yn cytuno i gydymffurfio â'r cod ymarfer archwilio a ddyroddir o dan adran 10(1).'

Jane Hutt

3

Section 18, page 9, line 7, leave out 'under subsection (2)'.
Adran 18, tudalen 9, llinell 8, hepgorer 'o dan is-adran (2)'.

Jane Hutt

4

Schedule 1, page 21, line 33, leave out '(“employee member A”),' and insert '(“the appointed member”)'.

Atodlen 1, tudalen 21, llinell 34, hepgorer '(“aelod sy'n gyflogai A”),' a mewnosoder '(“yr aelod a benodir”)'.

Jane Hutt

5

Schedule 1, page 21, line 35, leave out '(“employee members B”)' and insert '(“the elected members”)'.

Atodlen 1, tudalen 21, llinell 35, hepgorer '(“aelodau sy'n gyflogeion B”)' a mewnosoder '(“yr aelodau etholedig”)'.

Jane Hutt

6

Schedule 1, page 22, leave out paragraphs 15 to 16 and insert—

'The appointed member

- () (1) The Auditor General must recommend a person to the non-executive members for appointment under this paragraph.
- (2) The non-executive members must—

- (a) appoint that person, or
- (b) require the Auditor General to recommend another person (in which event this sub-paragraph applies again and so on until someone is appointed).

The elected members

- () (1) The WAO must conduct a ballot of its staff for the purpose of appointing a person or, as the case may be, persons under this paragraph.
- (2) The elected members are to be appointed by the non-executive members in accordance with the result of the ballot.
- (3) An appointment made under this paragraph is to be treated as an appointment on merit for the purposes of paragraph 2(2) (appointment of WAO members to be on merit).’.

Atodlen 1, tudalen 22, hepgorer paragraffau 15 hyd at 16 a mewnosoder –

‘Yr aelod a benodir

- () (1) Rhaid i’r Archwilydd Cyffredinol argymhell person i’r aelodau anweithredol i’w benodi o dan y paragraff hwn.
- (2) Rhaid i’r aelodau anweithredol –
 - (a) penodi’r person hwnnw, neu
 - (b) ei gwneud yn ofynnol i’r Archwilydd Cyffredinol argymhell person arall (os felly bydd yr is-baragraff hwn yn gymwys dro ar ôl tro hyd nes bod rhywun wedi ei benodi’n aelod).

Yr aelodau etholedig

- () (1) Rhaid i SAC gynnal pleidlais o’i staff at ddiben penodi person neu bersonau, yn ôl y digwydd, o dan y paragraff hwn.
- (2) Mae’r aelodau etholedig i’w penodi gan yr aelodau anweithredol yn unol â chanlyniad y bleidlais.
- (3) Mae penodiad a wneir o dan y paragraff hwn i’w drin fel penodiad ar sail teilyngdod at ddibenion paragraff 2(2) (penodi aelodau SAC ar sail teilyngdod).’.

Jane Hutt

7

Schedule 1, page 26, line 3, leave out ‘B’.

Atodlen 1, tudalen 26, llinell 3, hepgorer ‘B’.

Darren Millar

25

Schedule 1, page 26, after line 3, insert –

- ‘() The rules may include provision for the staff of the WAO to be divided into two constituencies for the purpose of conducting ballots with one member being elected from each constituency.’.

Atodlen 1, tudalen 26, ar ôl llinell 3, mewnosoder –

‘() Caiff y rheolau gynnwys darpariaeth i rannu staff SAC yn ddwy etholaeth at ddiben cynnal pleidleisiau gydag un aelod yn cael ei ethol o bob etholaeth.’

Jane Hutt 8

Schedule 1, page 26, line 25, leave out ‘agreeing’ and insert ‘preparing’.

Atodlen 1, tudalen 26, llinell 24, hepgorer ‘cytuno ar gynllun’ a mewnosoder ‘paratoi cynllun’.

Jane Hutt 9

Schedule 2, page 31, line 4, leave out ‘agreed’ and insert ‘prepared’.

Atodlen 2, tudalen 31, llinell 3, hepgorer ‘gytunwyd’ a mewnosoder ‘baratowyd’.

Jane Hutt 10

Schedule 2, page 31, leave out lines 6 to 8 and insert –

‘() At least once during each financial year the Auditor General and the chair of the WAO must also jointly prepare a report on the exercise of the functions of the Auditor General and the WAO (an “interim report”).’.

Atodlen 2, tudalen 31, hepgorer llinellau 5 hyd at 7 a mewnosoder –

‘() O leiaf unwaith yn ystod pob blwyddyn ariannol, rhaid i’r Archwilydd Cyffredinol a chadeirydd SAC lunio hefyd, ar y cyd, adroddiad ar arferiad swyddogaethau’r Archwilydd Cyffredinol a SAC (“adroddiad interim”).’.

Jane Hutt 11

Schedule 2, page 31, line 12, leave out ‘agreed’ and insert ‘prepared’.

Atodlen 2, tudalen 31, llinell 10, hepgorer ‘gytunwyd’ a mewnosoder ‘baratowyd’.

Jane Hutt 12

Schedule 2, page 31, after line 13, insert –

‘() Nothing in this paragraph prevents the National Assembly from requiring the Auditor General and chair of the WAO to prepare an interim report at any time during a financial year.’.

Atodlen 2, tudalen 31, ar ôl llinell 12, mewnosoder –

‘() Nid oes dim yn y paragraff hwn yn atal y Cynulliad Cenedlaethol rhag ei gwneud yn ofynnol i’r Archwilydd Cyffredinol a chadeirydd SAC baratoi adroddiad interim ar unrhyw adeg yn ystod blwyddyn ariannol.’.

Jane Hutt **13**

Schedule 2, page 31, line 17, leave out 'the' at the first place where it appears.

Atodlen 2, tudalen 31, llinell 16, hepgorer 'yr'.

Jane Hutt **14**

Schedule 2, page 32, line 1, leave out 'amongst other things' and insert 'but are not limited to'.

Atodlen 2, tudalen 32, llinell 2, hepgorer '(ymhlith pethau eraill)' a mewnosoder 'y canlynol (ond nid ydynt yn gyfyngedig iddynt)'.

***Aled Roberts** **1A**

As an amendment to amendment 1, line 39, leave out—

“(1) This paragraph applies where the group of employees whose employment transferred under paragraph 5(1) maintains an identity distinct from the remainder of the WAO's undertaking after the transfer.

(2) Where before the transfer”

And insert—

“() Where before the transfer mentioned in paragraph 5(1)”.

Fel gwelliant i welliant 1, llinell 40, hepgorer—

“(1) Mae'r paragraff hwn yn gymwys pan fo'r grŵp o gyflogeion y trosglwyddwyd ei gyflogaeth o dan baragraff 5(1) yn cynnal hunaniaeth ar wahân i weddill ymgymeriad SAC ar ol y trosglwyddiad.

(2) Pan oedd undeb llafur annibynnol wedi ei gydnabod gan yr Archwilydd Cyffredinol i unrhyw raddau cyn y trosglwyddiad”

A mewnosoder—

“() Pan oedd undeb llafur annibynnol wedi ei gydnabod gan yr Archwilydd Cyffredinol i unrhyw raddau cyn y trosglwyddiad a grybwyllir ym mharagraff 5(1)”.

Jane Hutt **1**

Schedule 3, page 35, after line 39, insert—

'Variation of employment contracts

() (1) This paragraph applies where there is a purported variation of the employment contract of—

(a) an employee of the Auditor General;

(b) an employee of the WAO whose employment transferred under paragraph 5.

(2) The variation is void if the sole or principal reason for varying the contract is—

(a) the transfer mentioned in paragraph 5(1), or

- (b) a reason connected with the transfer that is not an economic, technical or organisational reason entailing changes in the workforce.
- (3) Nothing in this paragraph prevents a variation if the sole or principal reason for the variation is –
 - (a) a reason connected with the transfer that is an economic, technical or organisational reason entailing changes in the workforce, or
 - (b) a reason unconnected with the transfer.

Collective agreements

- () (1) This paragraph applies where a collective agreement made by or on behalf of the Auditor General satisfies the conditions specified in sub-paragraph (2).
- (2) The conditions are that the agreement –
 - (a) existed at the time of the transfer mentioned in paragraph 5(1),
 - (b) was made with a trade union recognised by the Auditor General, and
 - (c) applied in respect of an employee whose employment transferred under paragraph 5(1) (“a transferred employee”).
- (3) After the transfer mentioned in paragraph 5(1) –
 - (a) the agreement, in its application to a transferred employee, is to have effect as if made with the trade union by or on behalf of the WAO, and
 - (b) anything done before the transfer under or in connection with the agreement in respect of a transferred employee by or in relation to the Auditor General is to be treated as having been done by or in relation to the WAO.
- (4) Nothing in this paragraph prejudices the application of sections 179 and 180 of the 1992 Act (collective agreements presumed to be unenforceable in specified circumstances) to the agreement.
- (5) In this paragraph –
 - “collective agreement” has the same meaning as in the 1992 Act,
 - “recognised” has the meaning given in section 178(3) of the 1992 Act,
 - “trade union” has the same meaning as in the 1992 Act, and
 - “1992 Act” means the Trade Union and Labour Relations (Consolidation) Act 1992.

Trade union recognition

- () (1) This paragraph applies where the group of employees whose employment transferred under paragraph 5(1) maintains an identity distinct from the remainder of the WAO’s undertaking after the transfer.
- (2) Where before the transfer an independent trade union was recognised by the Auditor General to any extent in relation to any employee whose employment transferred, after the transfer –

- (a) that union is to be treated as having been recognised by the WAO to the same extent in relation to those employees, and
 - (b) any agreement for recognition may be varied or rescinded accordingly.
- (3) In this paragraph—
- “independent trade union” has the meaning given in section 5 of the 1992 Act,
 - “recognised” has the meaning given in section 178(3) of the 1992 Act, and
 - “1992 Act” means the Trade Union and Labour Relations (Consolidation) Act 1992. ’.

Atodlen 3, tudalen 35, ar ôl llinell 38, mewnosoder —

‘Amrywiadau mewn contractau cyflogaeth

- () (1) Mae’r paragraff hwn yn gymwys pan fo amrywiad honedig yng nghontract cyflogaeth—
- (a) cyflogai i’r Archwilydd Cyffredinol;
 - (b) cyflogai i SAC y trosglwyddwyd ei gyflogaeth o dan baragraff 5.
- (2) Mae’r amrywiad yn ddi-rym os yr unig neu’r prif reswm dros amrywio’r contract yw —
- (a) y trosglwyddiad a grybwyllir ym mharagraff 5(1), neu
 - (b) rheswm sy’n gysylltiedig â’r trosglwyddiad nad yw’n rheswm economaidd, technegol neu sefydliadol sy’n peri newidiadau yn y gweithlu.
- (3) Nid oes dim yn y paragraff hwn sy’n rhwystro amrywiad os yr unig neu’r prif reswm dros yr amrywiad yw —
- (a) rheswm sy’n gysylltiedig â’r trosglwyddiad sy’n rheswm economaidd, technegol neu sefydliadol sy’n peri newidiadau yn y gweithlu, neu
 - (b) rheswm nad yw’n gysylltiedig â’r trosglwyddiad.

Cydgytundebau

- () (1) Mae’r paragraff hwn yn gymwys pan fo cydgytundeb a wneir gan neu ar ran yr Archwilydd Cyffredinol yn bodloni’r amodau a bennir yn is-baragraff (2).
- (2) Yr amodau yw bod y cytundeb —
- (a) yn bodoli ar adeg y trosglwyddiad a grybwyllir ym mharagraff 5(1),
 - (b) wedi ei wneud gydag undeb llafur a gydnabyddir gan yr Archwilydd Cyffredinol, ac
 - (c) yn gymwys mewn cysylltiad â chyflogai y trosglwyddwyd ei gyflogaeth o dan baragraff 5(1) (“cyflogai a drosglwyddwyd”).
- (3) Ar ôl y trosglwyddiad a grybwyllir ym mharagraff 5(1) —
- (a) mae’r cytundeb, o’i gymhwyso mewn perthynas â chyflogai a drosglwyddwyd, i gael effaith fel pe bai wedi ei wneud gyda’r undeb llafur gan neu ar ran SAC, a

- (b) mae unrhyw beth a wnaed cyn y trosglwyddiad o dan y cytundeb neu mewn cysylltiad ag ef o ran cyflogai a drosglwyddwyd gan yr Archwilydd Cyffredinol neu mewn perthynas â'r Archwilydd Cyffredinol i'w drin fel pe bai wedi ei wneud gan SAC neu mewn perthynas â SAC.
- (4) Nid oes dim yn y paragraff hwn yn rhagfarnu cymhwyso adrannau 179 a 180 o Ddeddf 1992 (cydgytundebau y tybir nad oes modd eu gorfodi o dan amgylchiadau penodol) i'r cytundeb.
- (5) Yn y paragraff hwn –
 - mae i "cydgytundeb" yr un ystyr â "collective agreement" yn Neddf 1992,
 - mae i "cydnabod" yr ystyr a roddir i "recognised" yn adran 178(3) o Ddeddf 1992,
 - ystyr "Deddf 1992" ("1992 Act") yw Deddf Undebau Llafur a Chysylltiadau Llafur (Cydgrynhoi) 1992, ac
 - mae i "undeb llafur" yr un ystyr â "trade union" yn Neddf 1992.

Cydnabod undebau llafur

- () (1) Mae'r paragraff hwn yn gymwys pan fo'r grŵp o gyflogeion y trosglwyddwyd ei gyflogaeth o dan baragraff 5(1) yn cynnal hunaniaeth ar wahân i weddill ymgymeriad SAC ar ôl y trosglwyddiad.
- (2) Pan oedd undeb llafur annibynnol wedi ei gydnabod gan yr Archwilydd Cyffredinol i unrhyw raddau cyn y trosglwyddiad mewn perthynas ag unrhyw gyflogai y trosglwyddwyd ei gyflogaeth, ar ôl y trosglwyddiad –
 - (a) mae'r undeb hwnnw i'w drin fel pe bai wedi ei gydnabod gan SAC i'r un graddau mewn perthynas a'r cyflogeion hynny, a
 - (b) caniateir i unrhyw gytundeb ar gyfer cydnabyddiaeth gael ei amrywio neu ei ddatwneud yn unol â hynny.
- (3) Yn y paragraff hwn –
 - mae i "cydnabod" yr ystyr a roddir i "recognised" yn adran 178(3) o Ddeddf 1992,
 - mae i "undeb llafur annibynnol" yr ystyr a roddir i "independent trade union" yn adran 5 o Ddeddf 1992, ac
 - ystyr "Deddf 1992" ("1992 Act") yw Deddf Undebau Llafur a Chysylltiadau Llafur (Cydgrynhoi) 1992.'.

***Jocelyn Davies**

27

Schedule 3, page 36, after line 16, insert –

- '() Sub-paragraph (3) does not prejudice the application of section 98(4) of the Employment Rights Act 1996 (test of fair dismissal).'

To clarify the appropriate test for fair dismissal.

Atodlen 3, tudalen 36, ar ôl llinell 16, mewnosoder –

‘() Nid yw is-baragraff (3) yn rhagfarnu cymhwysiad adran 98(4) o Ddeddf Hawliau Cyflogaeth 1996 (prawf ar gyfer diswyddiad teg).’.

Er mwyn esbonio'r prawf priodol ar gyfer diswyddiad teg.

Darren Millar

26

Schedule 4, page 39, line 24, leave out ‘fee, in accordance with a scheme for charging fees prepared under section 24 of the Public Audit (Wales) Act 2013 (which may not exceed the full cost incurred by the Auditor General’ and insert ‘sum in respect of the costs incurred, in accordance with a scheme for charging fees prepared under section 24 of the Public Audit (Wales) Act 2013 (which may not exceed the full cost incurred’.

Atodlen 4, tudalen 39, llinell 24, hepgorer ‘fee, in accordance with a scheme for charging fees prepared under section 24 of the Public Audit (Wales) Act 2013 (which may not exceed the full cost incurred by the Auditor General’ a mewnosoder ‘sum in respect of the costs incurred, in accordance with a scheme for charging fees prepared under section 24 of the Public Audit (Wales) Act 2013 (which may not exceed the full cost incurred’.

Darren Millar

15A

As an amendment to amendment 15, line 9, leave out “by the Auditor General for Wales”.

Fel gwelliant i welliant 15, llinell 9, hepgorer “by the Auditor General for Wales”.

Jane Hutt

15

Schedule 4, page 40, line 25, leave out paragraphs 10 to 13 and insert –

‘() In subsection (7) of section 11 (inspectors’ powers and duties), omit paragraph (b).

() Omit section 12A (fees: inspections under section 10A).

() Omit section 13A (reports of inspections under section 10A).

() In subsection (7) of section 23 (accounts), omit “or the Auditor General for Wales”.

() In subsection (2) of section 25 (coordination of inspections, etc), omit paragraph (aa).

() In section 26 (guidance), omit subsection (3A).

() For paragraph (b) of section 33(3) (finance), substitute –

“(b) the Wales Audit Office in respect of expenditure incurred or to be incurred by the Auditor General for Wales under the Local Government (Wales) Measure 2009.”. ‘.

Atodlen 4, tudalen 40, llinell 25, hepgorer paragraffau 10 hyd at 13 a mewnosoder –

‘() Yn is-adran (7) o adran 11 (pwerau a dyletswyddau arolygwyr), hepgorer paragraff (b).

() Hepgorer adran 12A (ffioedd: arolygiadau o dan adran 10A).

() Hepgorer adran 13A (adroddiadau ar arolygiadau o dan adran 10A).

() Yn is-adran (7) o adran 23 (cyfrifon), hepgorer “or the Auditor General for Wales”.

() Yn is-adran (2) o adran 25 (cydgysylltu arolygiadau etc), hepgorer paragraff (aa).

() Yn adran 26 (canllawiau), hepgorer is-adran (3A).

() Yn lle paragraff (b) o adran 33(3) (cyllid), rhodder –

“(b) the Wales Audit Office in respect of expenditure incurred or to be incurred by the Auditor General for Wales under the Local Government (Wales) Measure 2009.”.

Jane Hutt

16

Schedule 4, page 45, after line 18, insert –

‘() In paragraph (a) of subsection (1), omit “also best value authorities for the purposes of Part 1 of the Local Government Act 1999 or”.’.

Atodlen 4, tudalen 45, ar ôl llinell 20, mewnosoder –

‘() Ym mharagraff (a) o is-adran (1), hepgorer “also best value authorities for the purposes of Part 1 of the Local Government Act 1999 or”.’.

Jane Hutt

17

Schedule 4, page 46, after line 33, insert –

‘() In subsection (1) –

(a) in paragraph (a), omit “or Part 1 of the Local Government Act 1999 (c 27)”, and

(b) in paragraph (b) omit “or Part 1 of the Local Government Act 1999”.’.

Atodlen 4, tudalen 46, ar ôl llinell 33, mewnosoder –

‘() Yn is-adran (1) –

(a) ym mharagraff (a), hepgorer “or Part 1 of the Local Government Act 1999 (c 27)”, a

(b) ym mharagraff (b), hepgorer “or Part 1 of the Local Government Act 1999”.’.

Jane Hutt

18

Schedule 4, page 46, after line 35, insert –

‘(ii) omit “or Part 1 of the Local Government Act 1999”.’.

Atodlen 4, tudalen 46, ar ôl llinell 35, mewnosoder –

‘(ii) hepgorer “or Part 1 of the Local Government Act 1999”.’.

Jane Hutt

19

Schedule 4, page 48, line 7, leave out ‘for Wales’.

Atodlen 4, tudalen 48, llinell 7, hepgorer ‘for Wales’.

Jane Hutt

20

Schedule 4, page 48, line 9, leave out ‘for Wales’.

Atodlen 4, tudalen 48, llinell 8, hepgorer ‘for Wales’.

Jane Hutt

21

Schedule 4, page 49, after line 26, insert –

- (1) Schedule 7 (Acts of the Assembly) is amended as follows.
- (2) In the table in paragraph 2(1) (provisions protected from modification by Assembly Act) of Part 2 (general restrictions), after the entry for the “Re-use of Public Sector Information Regulations 2005 (S.I. 2005/1505)” insert –

“The Public Audit (Wales) Act 2013 (anaw 00)	Sections 2(1) to (3), 3(2) to (4), 6(2) to (3) and section 8(1) in so far as that section relates to the Auditor General’s exercise of functions free from the direction or control of the Assembly or Welsh Assembly Government.”
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(3) After sub-paragraph (2) of paragraph 2, insert –

- “(2A) Sub-paragraph (1), so far as it applies in relation to sections 2(1) to (3), 3(2) to (4), 6(2) to (3) and 8(1) of the Public Audit (Wales) Act 2013 does not apply in relation to any provision to which sub-paragraph (4) applies.
- (2B) But, subject to sub-paragraph (2C), a provision to which sub-paragraph (4) applies cannot modify or confer power by subordinate legislation to modify section 8(1) of the Public Audit (Wales) Act 2013.
- (2C) Sub-paragraph (2B) does not prevent the conferral of functions on a committee of the Assembly that –
- (a) does not consist of or include any of the following persons –
- (i) the First Minister or any person designated to exercise the functions of the First Minister,
 - (ii) a Welsh Minister appointed under section 48,
 - (iii) the Counsel General or any person designated to exercise the functions of the Counsel General, or
 - (iv) a Deputy Welsh Minister, and
- (b) is not chaired by an Assembly member who is a member of a political group with an executive role.”.

(4) In paragraph 5 (restrictions regarding modification of the Government of Wales Act 2006) of Part 2 –

- (a) in sub-paragraph (2)(c), omit “, other than paragraphs 1(1) to (3), 2(2) to (4) and 3”, and
- (b) omit sub-paragraphs (5) and (6).’.

Atodlen 4, tudalen 49, ar ôl llinell 26, mewnosoder –

- (1) Mae Atodlen 7 (Deddfau’r Cynulliad) wedi ei diwygio fel a ganlyn.

- (2) Yn y tabl ym mharagraff 2(1) (darpariaethau a ddiogelir rhag eu haddasu gan Ddeddf Cynulliad) o Ran 2 (cyfyngiadau cyffredinol), ar ôl y cofnod ar gyfer “Re-use of Public Sector Information Regulations 2005 (S.I. 2005/1505)” mewnosoder –

“The Public Audit (Wales) Act 2013 (anaw 00)	Sections 2(1) to (3), 3(2) to (4), 6(2) to (3) and section 8(1) in so far as that section relates to the Auditor General’s exercise of functions free from the direction or control of the Assembly or Welsh Assembly Government.”
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- (3) Ar ôl is-baragraff (2) o baragraff 2, mewnosoder –

“(2A) Sub-paragraph (1), so far as it applies in relation to sections 2(1) to (3), 3(2) to (4), 6(2) to (3) and 8(1) of the Public Audit (Wales) Act 2013 does not apply in relation to any provision to which sub-paragraph (4) applies.

(2B) But, subject to sub-paragraph (2C), a provision to which sub-paragraph (4) applies cannot modify or confer power by subordinate legislation to modify section 8(1) of the Public Audit (Wales) Act 2013.

(2C) Sub-paragraph (2B) does not prevent the conferral of functions on a committee of the Assembly that –

(a) does not consist of or include any of the following persons –

- (i) the First Minister or any person designated to exercise the functions of the First Minister,
- (ii) a Welsh Minister appointed under section 48,
- (iii) the Counsel General or any person designated to exercise the functions of the Counsel General, or
- (iv) a Deputy Welsh Minister, and

(b) is not chaired by an Assembly member who is a member of a political group with an executive role.”.

- (4) Ym mharagraff 5 (cyfyngiadau ynghylch addasu Deddf Llywodraeth Cymru 2006) o Ran 2 –

(a) yn is-baragraff (2)(c), hepgorer “, other than paragraphs 1(1) to (3), 2(2) to (4) and 3”, a

(b) hepgorer is-baragraffau (5) a (6).’.

Jane Hutt

22

Schedule 4, page 52, line 2, leave out ‘audit authority’ and insert ‘Audit Commission’.

Atodlen 4, tudalen 52, llinell 2, hepgorer ‘audit authority’ a mewnosoder ‘Audit Commission’.

Jane Hutt

23

Schedule 4, page 52, line 10, leave out ‘, each time those words appear,’.

Atodlen 4, tudalen 52, llinell 10, hepgorer ‘, bob tro y mae’r geiriau hynny’n ymddangos’.

Jane Hutt

24

Schedule 4, page 52, after line 30, insert –

‘(b) after “subsection (4)”, insert “or (4A) (as the case may be)”.’.

Atodlen 4, tudalen 52, ar ôl llinell 30, mewnosoder –

‘(b) ar ôl “subsection (4)”, mewnosoder “or (4A) (as the case may be)”.’.